

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF POWERTEL/KENTUCKY, )  
INC., A DELAWARE CORPORATION, FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A PERSONAL COMMUNICATIONS SERVICES )  
FACILITY AT 297 COUNTY BARN ROAD, )  
GLASGOW, BARREN COUNTY, KENTUCKY IN )  
THE B-052 BASIC TRADING AREA )  
SITE NAME: LVO 319 )

CASE NO.  
2000-335-UAC

O R D E R

On June 29, 2000, Powertel/Kentucky, Inc., a Delaware corporation ("Powertel"), filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility is to be located at 297 County Barn Road, Glasgow, Barren County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 58' 1.51" by West Longitude 85° 55' 7.27".

Powertel has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Licensed Professional Engineer.

Pursuant to 807 KAR 5:063, Powertel has notified the local planning unit of the proposed construction. To date, no comments have been filed by the local planning unit. Powertel has filed applications with the Federal Aviation Administration ("FAA") and the

Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. Both decisions are pending.

Powertel has filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. The Commission received comments from one nearby property owner. However, no requests for intervention or a public hearing were filed.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Powertel should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Powertel.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Powertel has demonstrated that a facility is necessary to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Powertel is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility is to be located at

297 County Barn Road, Glasgow, Barren County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 58' 1.51" by West Longitude 85° 55' 7.27".

2. Powertel shall file a copy of the final decisions regarding its pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.

3. Powertel shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 13<sup>th</sup> day of October, 2000.

By the Commission

ATTEST:

  
Executive Director